

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LISA AND MARK BUTTERLINE, on behalf of :
themselves and all others similarly situated, :

Plaintiffs :

v. :

THE BANK OF NEW YORK MELLON TRUST :
COMPANY, NATIONAL ASSOCIATION :

Defendant :

NO. 15-01429-JS

**PLAINTIFFS' NOTICE OF ACCEPTANCE OF
DEFENDANT'S RULE 68 OFFER OF JUDGMENT**

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiffs, Lisa & Mark Butterline, through their undersigned counsel, hereby accept and provide notice that they accept Defendant's Rule 68 Offer of Judgment, dated June 20, 2018, attached hereto as Exhibit "A", providing for the entry of judgment in favor of Plaintiffs and against Defendant.

Respectfully submitted,

Dated: July 5, 2018

/s/ Daniel C. Levin
Daniel C. Levin, Esquire
LEVIN SEDRAN & BERMAN LLP
510 Walnut Street, Suite 500
Philadelphia, PA 19106

Christopher G. Hayes, Esquire
THE LAW OFFICE OF CHRISTOPHER G.
HAYES
225 S. Church Street
West Chester, PA 19382

William T. Wilson, Esquire
BAILEY & EHRENBURG

120 N. Church Street, Suite 206
West Chester, PA 19380

Michael Louis, Esquire
MACELREE HARVEY, LTD.
17 West Miner Street, PO Box 660
West Chester, PA 19381

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Plaintiff's Notice of Acceptance was served on this 5th day of July, 2018 via the Court's electronic notification system.

BY: /s/ Daniel C. Levin
DANIEL C. LEVIN

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA AND MARK BUTTERLINE, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON TRUST
COMPANY, NATIONAL ASSOCIATION fka The
Bank of New York Trust Company, N.A. as
successor to JPMorgan Chase Bank, N.A., as
Trustee for Residential Asset Mortgage Products,
Inc., Mortgage Asset-Backed Pass-Through
Certificates, Series 2005-RP1 i/p/a Bank of New
York Trust, Co.,

Defendant.

CIVIL ACTION
No. 2:15-cv-01429-JS

DEFENDANT'S OFFER OF JUDGMENT

Pursuant to Federal Rule of Civil Procedure 68, Defendant The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A., as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-RP1 i/p/a Bank of New York Trust, Co. ("**BONY Trust**") offer to allow the entry of a joint and severable judgment by the Court in the above-captioned action in the total amount of Twenty Five Thousand Dollars and Zero Cents (\$25,000.00) ("**Offer**"), inclusive of all recoverable costs, expenses and attorneys' fees incurred by Plaintiffs as of the date of this Offer, in complete satisfaction of all claims against BONY Trust alleged in Plaintiffs' Complaint.

This Offer is made solely for the purposes specified in Federal Rule of Civil Procedure 68, and neither this Offer, nor any judgment that may result from it, may be construed as an admission that (i) any allegations of the Complaint are true; (ii) BONY Trust is liable in this or any action; or (iii) Plaintiffs have suffered any damages, or are in any way entitled to recover any sums inclusive of costs and/or attorneys' fees. BONY Trust expressly denies any and all liability to Plaintiffs and any judgment that may result from this Offer shall expressly so state.

The making of this Offer is a withdrawal of all previous offers, formal or informal, made by BONY Trust, and this Offer shall remain open until timely accepted or withdrawn as provided by Federal Rule of Civil Procedure 68.

This Offer will be deemed withdrawn unless Plaintiffs serve written notice of acceptance of the Offer within fourteen (14) days from the date of service. This Offer shall not be filed with the Court unless accepted.

In the event this Offer is not timely accepted and is deemed withdrawn by the Rules, then evidence of this Offer is not admissible except in a proceeding to determine attorneys' fees, interest and costs. In the event this Offer is not accepted and the verdict or determination is favorable to BONY Trust, as defined by Federal Rule of Civil Procedure 68, then BONY Trust shall apply for reasonable attorneys' fees, interest and costs of suit for such services as are compelled after the date of this Offer by Plaintiffs' non-acceptance of this Offer, as allowed by Federal Rule of Civil Procedure 68.

Dated: June 20, 2018

Respectfully submitted,

/s/ 

Alexander D. Bono (PA 25845)

Ryan E. Borneman (PA 203540)

Jessica Priselac (PA 208524)

Lynne E. Evans (PA 313479)

DUANE MORRIS LLP

30 South 17th Street

Philadelphia, PA 19103
Tel: (215) 979-1000
abono@duanemorris.com
reborneman@duanemorris.com
JPrirelac@duanemorris.com
leevans@duanemorris.com

*Attorneys for Defendant The Bank of New
York Mellon Trust Company, National
Association fka The Bank of New York Trust
Company, N.A. as successor to JPMorgan
Chase Bank, N.A., as Trustee for Residential
Asset Mortgage Products, Inc., Mortgage
Asset-Backed Pass-Through Certificates,
Series 2005-RP1 i/p/a Bank of New York
Trust, Co.*

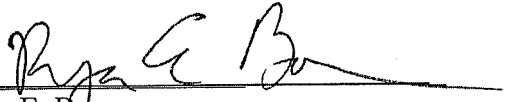
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20 day of June 2018 that a true and correct copy of the foregoing was e-mailed to counsel of record in this matter as follows:

Daniel C. Levin
DLevin@lfsblaw.com
Levin Sedran Berman LLP
Counselors at Law and Proctors in Admiralty
510 Walnut Street, Suite 500
Philadelphia, PA 19106

Christopher Hayes
chris@chayeslaw.com
The Law Office of Christopher G. Hayes
225 S. Church Street
West Chester, PA 19382

Counsel for Plaintiffs Lisa and Mark Butterline

/s/ 
Ryan E. Borneman